IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.9629 of 2006

Dated: June 6, 2006

Between:

K. Sambasiva Rao, S/o. Sri K. Panakalu,
aged about 45 years, Occ: Lecturer in English,
DAR College, Nuzvid, Krishna District,
R/o. Nuzvid.

… Petitioner

And

The State of Andhra Pradesh, rep. by Secretary to Government, Department of Higher Education, Andhra Pradesh Secretariat, Hyderabad, and four others.

… Respondents

Order:

The petitioner, who was appointed as Lecturer in English in the fourth respondent-college, was imposed a penalty of stoppage of two annual grade increments by the third respondent by his order dated 26-11-2004 after initiating disciplinary proceedings against the petitioner.

2. As per the provisions of the A.P. Education Act 1982 ('the Act' for brevity) against the said order of punishment, an appeal lies to the second respondent, the Regional Joint Director of Collegiate Education; however, the petitioner has preferred revision petition before the first respondent-Government, which was ultimately transmitted to the second respondent by the first respondent, by Memo No.SP 439/CE.II.1/2005 dated 04-06-2005, whereby directions were issued to the second respondent to treat the revision petition filed by the petitioner as an appeal under the Act.

3. The only grievance of the petitioner is that though the appeal has been pending before the second respondent/appellate authority since June, 2005, it has not yet been considered and disposed of. Even the learned Government Pleader appearing on behalf of the respondents does not dispute pendency of such appeal, which was transmitted by the first respondent to the second respondent by memo dated 04-06-2005.

4. As much as the order dated 26-11-2004 is an order for stoppage of two annual increments, which will have effect on the monetary benefit of the petitioner every month and also keeping in view of the fact that the appeal has been pending for more than an year, I dispose of the Writ Petition directing the second respondent to dispose of the appeal of the petitioner that was transmitted to him by the first respondent-Government, by memo dated 04-06-2005, within a period of two months from the date of receipt of this order.

5. The Writ Petition is accordingly disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY.

June 6, 2006
MRR